

REMARKS

Applicant expresses appreciation for the telephone interview conducted on November 10, 2010. The above claim amendments and following arguments were discussed during the interview. The examiner agreed that the amendments would likely overcome the cited art of record, and would require a subsequent search.

The Office Action mailed June 18, 2010, considered and rejected claims 1, 3, 5, 6, 8-16, 18-20, 22-26, 28-30 and 37-45. Claims 1, 3, 5-6, 8-16, 18-20, 22-30 and 37-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cymerman* (Automate your build process using Java and Ant) in view of *Jerger* (U.S. Patent No. 6,321,334) in view of *Vasilik et al.* (U.S. Publ. No. 2003/0163799).

By this response, each of the independent claims has been amended to clarify the invention to distinguish from how the examiner is interpreting the art. These amendments include specifying that a plurality of build entities are involved in the build process and defining the specific types of build entities that are involved including project files, operating system account information, and assemblies. It is noted that similar limitations were in claim 5 and 15 which the examiner has failed to address. The examiner's rejection simply states that claims 1, 3, 5, 6, and 8-19 are all the same as claims 37-45. This is not true. In particular, claims 5, 12, 13, and 15 contain (or contained) limitations that did not appear in any of claims 37-45.

The independent claims also have been amended to better clarify that a level of trust is associated with each individual build entity involved in the build process. In the examiner's rejections, he is equating this aspect with including/excluding entities from a build. *See, e.g.* OA, pg. 8, 3rd and 4th bullets. This, however, is not how the invention works or how the claim is worded. The role of the level of trust is not to determine which build entities are included in the build process, but to determine what permissions the build process will have. The build entity with the lowest level of trust dictates the permissions that the build process will have. This aspect is also further clarified by the added limitation that a semi-trusted level restricts the build process from accessing the registry and from having TCP/IP access.

Applicant submits that the examiner's arguments on page 8 clearly illustrate the examiner's fundamental misunderstanding or misinterpretation of the claims. As has been argued, the Ant tool does not in any way dictate a security level under which the actual building of a project will occur. Applicant agrees with the examiner that Ant allows the developer to

specify which files are to be included/excluded in the build. However, this is not relevant to the invention. The entities involved in the build process in the present invention are already known before the steps of the claim are carried out. The claim details the process of determining what the level of trust is for each of the build entities and then uses the lowest level of trust for the build process. No entities will be excluded from the build process based on this determination of the level of trust for each entity. This process of restricting the build process is known as "sandboxing." There is nothing in Ant similar to this.

Further, the other references likewise do not disclose this type of "sandboxing" of the build process. The newly cited Vasilik reference only discloses that different source files can be prioritized so that the highest priority source file is used to compile an application. A good summary of this process is provided in claim 1. Nothing in Vasilik, however, relates to restricting the permissions of the build process. Therefore, Vasilik, when combined with Ant, fails to teach or suggest each limitation of the claims.

Finally, Jerger has already been addressed and is not being cited to reject the key features of the claim. Therefore, Applicant submits that the combination of cited art fails to teach or suggest each limitation of the independent claims.

To summarize, the examiner's arguments incorrectly address the independent claims as being directed to determining which files are included in a build. The invention, in contrast, is directed to determining what permissions the build process will have based on which files are included. It should be apparent that these two are different. Accordingly, Applicant resubmits each of the arguments that were made in the previous responses which address how Ant (as well as the other references) is not relevant to determining the permissions of the build process.

Lastly, the office action has not addressed each of the claims. Some of the limitations from the claims that were not addressed now appear in the independent claims (e.g. claims 5 and 12). Applicant respectfully requests that each of the different claims be addressed (in particular claim 13).

For each of the above reasons, as well as those that were presented in the previous responses, Applicant submits that the claims are novel and non-obvious in view of the cited art and respectfully requests that the rejections be withdrawn. Specifically, the combination of art fails to teach or suggest each of the limitations including:

a build process processor that executes to build a project that includes a plurality of build entities, wherein building the project includes compiling at least one of the plurality of build entities, the build entities including one or more project files, operating system account information, and one or more assemblies; and

a policy component that is accessed by the build process processor before building the project to determine a level of trust within which the build process executes, wherein the policy component specifies a level of trust for each build entity involved in the build process;

wherein the level of trust within which the build process executes is determined by analyzing the levels of trust associated with each of the plurality of build entities, and selecting the lowest level of trust of all involved build entities,

wherein the levels of trust include:

(i) levels that are representative of trusted, which has no restrictions on the build process,

(ii) semi-trusted, which has restrictions on the build process, the restrictions including preventing the build process from accessing the registry and from having TCP/IP access, and

(iii) untrusted, which causes the build process to fail,
wherein if the lowest level of trust is untrusted and the build process fails, the developer is notified;

as claimed in claim 1, and similarly claimed in the other independent claims.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 322-8427.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; and/or (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 10th day of November, 2010.

Respectfully submitted,

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